

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22649 of 2026**

Arising Out of PS. Case No.-123 Year-2026 Thana- Excise P.S. District- Siwan

Pashupati Nath Sahani S/O Late Rajkishor Sahani R/O Village- Kerma Dih,  
Ward No. 12, P.S- Kurhani, Dist.- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      06-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 30(a) and 47 of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a truck container, altogether 4321.080 liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. He is co-driver of the said vehicle. He has no knowledge regarding the alleged liquor. Police has not complied Section 105 of BNSS while



preparing seizure list and the seizure list witnesses are police personnel. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Siwan Excise P.S. Case No. 123 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Siwan.

**(Ashok Kumar Pandey, J)**

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